

## McKinney-Vento Act Residency & Educational Rights Information

(Questionnaire must be completed for each student)

In Indiana over 29,000 children experience homelessness each year. The McKinney-Vento Homeless Assistance Act was created with the goal of ensuring the enrollment, attendance, and success of homeless children and youth in school.

The McKinney-Vento Act provides certain rights for homeless students. This includes waiving certain requirements such as proof of residency when students are enrolling and allowing eligibility for certain services, such as free textbooks.

When families and students find themselves in transition due to their housing situation, it is important that they know their rights regarding education. If students meet the requirements as stated in the McKinney-Vento Act (42 U.S.C 11431) (Title VII, Subtitle B), their rights are as follows:

- ✓ Students may attend their school of origin or the school where they are temporarily residing.
- ✓ Students must be provided a written statement of their rights when they enroll and at least two additional times per year.
- ✓ Students may enroll without school, medical or similar records.
- ✓ Students have a right to transportation to school.
- ✓ Students must be provided a statement explaining why they are denied enrollment or any other services.
- ✓ Students must receive services, such as transportation, while disputes are being settled.
- ✓ Students are automatically eligible for Title I services. *Educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State or local programs, educational programs for students with limited English proficiency.*

According to the U.S. Department of Education, people living in the following situations are considered homeless:

- ✓ Doubled up with family or friends due to loss of housing or economic hardship
- ✓ Living in motels and hotels for lack of other suitable housing
- ✓ Runaway and displaced children and youth—Unaccompanied Youth
- ✓ Homes for unwed or expectant mothers for lack of a place to live
- ✓ Homeless and domestic violence shelters
- ✓ Transitional housing programs
- ✓ The streets
- ✓ Abandoned buildings
- ✓ Public places not meant for housing
- ✓ Cars, trailers (does not include mobile homes intended for permanent housing), and campgrounds
- ✓ Migratory children staying in housing not fit for habitation

Please complete the form on the reverse side of this document and return to your school office. Questions may be directed to your Principal, Social Worker/School Counselor, or: School Corporation Liaison contact information.

SCHOOL Corporation NAME McKinney-Vento Residency Form

Student Name \_\_\_\_\_ Date of Birth \_\_\_\_\_ Grade Level \_\_\_\_\_

The McKinney-Vento Homeless Assistance Act defines "homeless" as "individuals who lack a fixed, regular, and adequate nighttime residence." This includes children who "are temporarily sharing the housing of other persons due to the loss of housing or economic hardship."

Does not apply; student is not homeless

Please check one of the following statements if your family is experiencing temporary homelessness:

Living in a shelter, including transitional housing shelters. Please provide name of shelter and address \_\_\_\_\_

Living on the streets, abandoned buildings, in cars, trailers, campgrounds, public places, housing not fit for habitation--Please provide information regarding area in which student is living: \_\_\_\_\_

Living in hotels/motels for lack of other suitable housing – Please list name and address of hotel/motel: \_\_\_\_\_

Doubled-up; temporarily living with family or friends due to lack of adequate housing or financial conditions. Please provide address of where student is living:  
Address: \_\_\_\_\_

Please answer the following if you checked one of the four boxes above:

How long do you expect to be at this address? \_\_\_\_\_

Are you seeking permanent housing? \_\_\_\_\_ Date student moved to this address: \_\_\_\_\_

Is a parent living in the home with the student? \_\_\_\_\_

If no, with whom is student living? \_\_\_\_\_ Relationship: \_\_\_\_\_

A McKinney-Vento Liaison representing the district may be in contact with for clarification or bus transportation.

We have read the information provided & indicated our living circumstances above specific to the McKinney-Vento Act:

\_\_\_\_\_  
Parent/Guardian/Unaccompanied Youth Signature

\_\_\_\_\_  
Date

Office Use Only: \_\_\_\_\_ Does Qualify under McKinney-Vento Act \_\_\_\_\_ Does NOT Qualify

\_\_\_\_\_  
McKinney-Vento Liaison/Appointee Signature

\_\_\_\_\_  
Date

## NOTICE OF RIGHT TO APPEAL

Dear Parent:

Be advised that you have the right to appeal the decisions made by Penn-Harris-Madison School Corporation regarding your student's eligibility and enrollment under Title X, Part C of the McKinney-Vento Homeless Assistance Act. Students involved in a McKinney-Vento dispute process have the right to enroll immediately in the school of choice pending resolution of the dispute. Immediate enrollment includes full participation in all school activities.

As the district's McKinney-Vento Homeless Education Liaison designee, notification should be made to Mike Seger, Director of Safety and Student Services in writing within 10 business days of receipt of this letter if you want to appeal the district's decision outlined above.

Below you will find an appeal form that you can use for this notification. If we cannot reach a resolution at the district-level; As required by Indiana Code 20-26-11-15, the Indiana State Board of Education will hear all appeals on an order expelling a child under IC 20-33-8-17 (legal settlement), in addition to all disputes on (A) legal settlement; (B) right to transfer; (C) right to attend school in any school corporation; (D) amount of transfer tuition; and (E) any under matter arising under IC 20-26-11-15 (Transfers and Transfer Tuition).

- A. The party requesting an appeal or resolution of a dispute by the State Board of Education will submit a request in writing to the State Board Liaison at the Indiana Department of Education. [State Board Appeal Memo.pdf](#)
- B. The Board shall hold a hearing on the timely written application of the interested party.
- C. The Board shall make its determination under the following procedure:
  - A hearing shall be held on each matter presented.
  - Each interested party, including (where appropriate) the parents, student, transferor corporation, transferee corporation, or the state, shall be given at least ten (10) days' notice of the hearing by certified mail or personal delivery. The date of giving the notice is the date of mailing or delivery.
  - Any interested party may appear at the hearing in person or by counsel, present evidence, cross-examine witnesses, and present in writing or orally summary statements of position, and a written or recorded transcript of the hearing shall be made.
  - The hearing may be held by the Indiana State Board of Education or by a hearing examiner appointed by it who must be a state employee. The hearing, at the option of the State Board of Education or hearing examiner, may be held at any place in Indiana.

The Indiana Department of Education's (IDOE) State Coordinator for the McKinney-Vento Act. State Coordinator, Deepali Jani can be reached by phone at 317-233-3372 or 317- 460-1340 via email at: djani@doe.in.gov.

Attached you will find a copy of Indiana's McKinney-Vento Dispute Resolution Process that provides additional details on the state's McKinney-Vento dispute and appeals process, including key timelines.

Feel free to contact me if you have questions on this decision or the McKinney-Vento dispute or appeal process.

Attachments:

<http://www.doe.in.gov/student-services/dispute-resolution>

Sincerely,

**Mike Seger**

**Director of Safety and Student Services**

**574-258-9551**